# BOARD OF SELECTMEN MEETING MINUTES OF JANUARY 7, 2008

# I. <u>Call to Order/Roll Call</u>

Chairman Brian Major called the meeting of the Board of Selectmen to order at 7:10 P.M. in the Selectmen's Conference Room at the Town Offices. Present were: Chairman Major and Selectmen Mary Lyman, Ted Teichert, and Gerald Stabile. Also present were Town Manager Reginald Stapczynski and Town Clerk, Randy Hanson.

#### II. Executive Session

Chairman Brian Major called the meeting of the Board of Selectmen to order at 6:23 P.M. in the 3<sup>rd</sup> floor conference room of the Town Offices. On a motion by Selectman Lyman and a second by Selectman Vispoli, it was voted to go into an Executive Session to discuss collective bargaining strategy and to return to Open Session. The Executive Session adjourned at 7:08 P.M. and the Board returned to Open Session.

# III. Opening Ceremonies

Chairman Major asked for a Moment of Silence followed by the Pledge of Allegiance.

# IV. <u>Communications/Announcements/Liaison Reports</u>

Town Manager Buzz Stapczynski made the following announcements:

- The Department of Community Services Winter/Spring Catalog is out.
- The 1<sup>st</sup> Edition of the Andover Citizen Newsletter was distributed with the Town Census to residents.
- The Customer Service Feedback Form can be found on the Town website.
- Residents should clear snow from fire hydrants if possible, and cautioned those who
  walk at night in the winter to be careful, wear visible clothing and/or to carry a
  flashlight.
- The Mass Municipal Association Annual Meeting will be held this weekend and Andover will receive an award for the Loss Control Program.

Town Clerk Randy Hanson reminded everyone that Nomination Papers for the upcoming Town Election are ready and available at the Town Clerk's Office. The Presidential Primary is February 5<sup>th</sup> at and voting will take place at the Richard Collins' Field House at Andover High School. The last day to change party affiliation is January 16<sup>th</sup> and the Town Clerk's Office will remain open until 8:00 P.M. that day. Mail-in Registration Cards can be picked up at the Town Clerk's Office, the Post Office or Memorial Hall Library.

Selectman Vispoli said Andover will host the Tri-town meeting with Wilmington and Tewksbury on Thursday at 8:00 A.M. to discuss the next phase of the I-93 project.

Selectman Lyman said the Council on Aging is scheduled to meet this Wednesday.

Selectman Stabile said the Town Task Force meeting is also this Wednesday.

Chairman Major proposed that the Selectmen try to close out their meetings by 10:00 P.M. for 2008. Selectman Vispoli motioned to approve the proposal that the Board of Selectmen finish their meeting by 10:00 P.M. The motion was seconded by Selectman Lyman, voted 5-0 and

# V. <u>Citizens Petitions and Presentations</u> – None

# VI. Regular Business of the Board

# A. <u>Amendments to Traffic Rules and Regulations</u>

Selectman Vispoli motioned to adopt the request of Safety Officer Charles E. Edgerly's, to amend the Town's Traffic Rules and Regulations (Schedule I, Article V, Section 2, Parking) to add one-hour limited parking on the east side of North Main Street from the crosswalk at Perfecto's Café to the last utility pole in front of 89 North Main Street. The motion was seconded by Selectman Teichert, voted 5-0 and approved.

# B. <u>FY-2009 – FY-2013 Capital Improvement Plan Vote</u>

The Town Manager said eight private Warrant Articles were submitted, but one has been withdrawn. He asked citizens in attendances who have submitted private warrant articles to come forward to explain their articles to the Board. Jeanne Holliday, 27 Bellevue Road is requesting a sidewalk installation on Bellevue Road for safety reasons; Marion Smith, 135 Chestnut Street is requesting the granite curbing on Chestnut Street be continued to Sherry Street for safety reasons; Al Lahood, 121 Lovejoy Road is requesting the addition of eight speed limit signs on Lovejoy Road to create an awareness for drivers to slow down. Dorothy Gulezian, Arthur Road, is requesting the sidewalk from Kirkland Drive to Shawsheen Square be repaired.

The Town Manager is also seeking the approval of the FY-2009 – FY-2013 Capital Improvement Plan. Selectman Lyman made a motion that the Board of Selectman adopt and approve the Capital Improvement Model as presented by the Town Manager. The motion was seconded by Selectman Vispoli, voted 5-0 and approved. Selectman Vispoli stated that the vote is not an endorsement of the Warrant Articles but an approval they will take them into consideration.

#### C. Downtown Banner Bylaw

Planning Director Paul Materazzo updated the Board on the current status of the Banner By-law and recommends approval. Tom Urbelis, Town Counsel, recommends the Board vote tonight to sponsor the By-law as submitted stating there could be two Warrant Articles submitted by January 18th; one for the By-law itself, and a second for appropriation of funds for installation. There was discussion regarding the placement of the Banner, whether it should be across Main Street or along Main Street and the installation of the banner poles. Selectman Vispoli encouraged the Banner By-law be discussed with the Design Review Board for feedback.

### D. 2008 Annual Town Meeting Warrant Articles

Planning Director Paul Materazzo, Planner Jacki Byerly and representatives of the Planning Board to discuss the following proposed 2008 Annual Town Meeting warrant articles:

• <u>Storm Water Management:</u> Planner acki Byerly believes the Federal requirements of the Stormwater Management Rules and Regulations have all been covered but they cannot be finalized until after the Town Meeting vote. This by-law will comply with the National Pollutant Discharge Elimination System Storm Water Phase II Permit requirements;

significantly increase the protection of Andover's water resources; manage administrative responsibility and authority through a series of checks and balances; allow for ongoing community input with evening public meetings; and allow Town Staff to proceed with the course of their regular duties unconstrained by the requirements of the Open Meeting Law.

- Outdoor Dining Area By-law: Planner Jacki Byerly explained the Outdoor Dining Area Bylaw to be submitted for Town Meeting vote stating the request would allow outdoor dining requests for restaurants and coffee shops to move outside and attract more people.
- Designation of a Priority Development Site (PDS) in the I-93 Junction Development Area: Planning Direct additional grant money from the State.
- <u>Home Occupation By-law</u> Planner Jacki Byerly explained that the amendment to the Home Occupation By-law will provide greater flexibility and clearly define what is and what is not allowed for Customary Home Occupation for the purpose of allowing Andover Residents additional work options.

#### E. Conveyance of Land – Dwight Street, School Street & Salem Street

Selectman Vispoli motioned to support the concept of the request by Susan Stott and Michael Williams, representing Phillips Academy for the conveyance of land – Dwight Street, School Street and Salem Street, and for Town Counsel to assist in preparing the article. The motion was seconded by Selectman Lyman, voted 5-0 and approved.

### F. <u>Disposition of Town-owned Land</u>

The Town Manger explained the disposition of eight parcels of Town-owned land being requested for approval to sell. Town Counsel suggested all eight parcels appear on the warrant article allowing changes to be made at Town Meeting. This would give various groups time to sort out the details. Selectman Vispoli motioned to approve the concept of drafting a warrant article for the eight parcels of Town-owned land allowing the ability to pull off parcels from the article as needed. The motion was seconded by Selectman Teichert, voted 5-0 and approved.

## G. Presidential Primary Election

Selectman Stabile motioned the Board of Selectmen sign the Warrant for the Presidential Primary Election to be held on February 5, 2008. The motion was seconded by Teichert, voted 5-0 and approved.

# H. Andover Community Access and Media, Inc. Agreement

Selectman Vispoli motioned the Board of Selectman authorize the Town Manager to sign the Agreement between the Town and the Andover Community Access and Media, Inc. The motion was seconded by Selectman Teichert, voted 5-0 and approved.

#### I. Municipal Vehicle Policy

Selectman Vispoli motioned to adopt the new Municipal Vehicle Policy (draft dated January 3, 2008) as presented. The motion was seconded by Selectman Lyman, voted 5-0 and approved. Selectman Vispoli said this is a first step in reframing the policy and refining will

be continued. Also, Appendix A, page 6, wording to be changed from Positions with Town Vehicles for Work and Commuting Use to Inventory List of Current Positions with Town Vehicles for Work and Commuting Use. The Town Manager thanked Selectman Vispoli and Lyman for the time and effort they gave to this project.

# VII. Approval of Consent Agenda Items

#### A. Appointments and Re-appointments

Fire Chief Mansfield introduced the new firefighter appointee, David C. Pas to the Board of Selectman and welcomed him and his wife to the Town of Andover.

Selectman Vispoli made a motion to approve the Town Manager's request to appoint David C. Pas to the Fire Rescue Department. The motion was seconded by Selectman Lyman, voted 5-0 and approved.

| DEPARTMENT POSITION |                               | RATE   | EFF. DATE |
|---------------------|-------------------------------|--------|-----------|
| FIRE RESCUE DEPA    |                               | E =0.4 | 1/0/00    |
| David C. Pas        | Firefighter<br>(v. S. Gorrie) | F-704  | 1/8/08    |

Selectman Vispoli motioned to approve the following appointments recommended by the Town Manager. The motion was seconded by Selectman Lyman, voted 5-0 and approved.

| M | EM | <u> DRL</u> | <u>AL I</u> | HALL | <u> LIBRAR</u> | <u>Y</u> |
|---|----|-------------|-------------|------|----------------|----------|
| _ |    |             |             |      |                |          |

Bruce A. Symmes

| Caitlin Voorhees  | Library Page – PT<br>(v. A. Kuykendall)                                    | \$7.75/hr.        | 1/15/08                    |
|---|--|-------------------|----------------------------|
| COMMUNITY SERVICES David L. Boudreau                          | Basketball Program Staff – P   | T C5A             | 12/1/07                    |
| YOUTH SERVICES Leigh Keefe Thomas M. Busta III Evan D. Carter | Program Assistant – PT<br>Program Assistant – PT<br>Program Assistant – PT | C8A<br>C3A<br>C3A | 1/8/08<br>1/8/08<br>1/8/08 |
| ASSESSOR'S OFFICE   |  |                   |                            |

#### B. Common Victualler License

A motion was made by Selectmen Teichert to approve the request from Corporate Chefs, Inc., 22 Parkridge Road, Haverhill, MA, for a Common Victualler license for use at 150 Minuteman Road. The motion was seconded by Selectman Stabile, voted 5-0 and approved. The license will be effective from January 7, 2008 through December 31, 2008.

Chief Assessor – Temp. – 1/9/08 to 2/22/08

## C. <u>One Day Wine Only License</u>

A motion was made by Selectmen Lyman to approve the request from Klara Vajda, St. Augustine Parish, 43 Essex Street, Andover, for a one-day wine only license for

Saturday, January 26, 2008 from 5:00 P.M. to 7:00 P.M. for a Church Social at their 35 Essex Street facility. The application has been reviewed and approved by the Town Clerk subject to the condition that all other requirements of the Town are met prior to the issuance of the license. The motion was seconded by Selectman Vispoli, voted 5-0 and approved.

## D. Renewal of Common Victualler License

A motion was made by Selectmen Stabile to approve the request from Sharon Breighner, d/b/a The Cupcake Boutique, 10 Post Office Avenue for renewal of a 2008 Common Victualler License. The applicant has filed all of the necessary paperwork and payments and has complied with all of the State and Town department conditions necessary for renewal of the license. The motion was seconded by Selectman Vispoli, voted 5-0 and approved.

# VIII. Approval of Minutes of Previous Meetings

A motion was made by Selectman Stabile to approve the Minutes of the Regular Meeting of December 17, 2007. The motion was seconded by Selectman Lyman, voted 5-0 and approved.

# IX. **Adjournment**

A motion was made by Selectman Teichert and seconded by Selectman Stabile to adjourn the Regular Meeting of the Board of Selectmen. The vote was 5-0 to approve. The meeting adjourned at 9:55 P.M.

Respectfully submitted,

Dee DeLorenzo, Recording Secretary